of 5 miles pertaining to the Electrification of Trichur and the activities of the Cochin State Power and Light Corporation Ltd."

Is it the Diwan who presided over this function?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—It is not an action of the Diwan of Cochin, but an action of Sir Shanmukham Chetty.

Mr. E Ikkanda Warriar*(Urakam).*—Sir Shanmukham Chetty is the Diwan of Cochin.

Mr. President.—Sir Shanmukham presided over that function. Government have no information whether it was the Diwan or not. There is no Government Proceedings by which the Diwan was authorised to preside. If any person in his individual capacity violated the prohibitory order and if the District Magistrate and the Police Commissioner arrest him, he will submit to the arrest.

Mr. E. Ikkanda Warriar *(Urakam).*—If the Diwan does it, no Magistrate will dare to do it.

Motion was ruled out of order.

viii. re-the Government order depriving Mr. Kurur Divakaran Namboodiripad of some of his elementary civil rights.

Mr. President.—Mr. Ikkanda Warriar has given notice of another motion which runs thus:— "I have the honour to request you to grant me leave to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, to wit, the deprivation by Government executive order of some of the elementary civil rights of Mr. Kurur Divakaran Nambudiripad namely, the right of entering Brahmin houses &c. and touching tanks, wells &c."

Mr. T. S. Narayana Ayyar *(Secretary to Government)*—The order referred to was on an enquiry conducted on a petition which was sent to His Highness. As the motion relates to a matter which comes under the prerogative of His Highness, it is beyond the purview of the Council.

Mr. K. Ayyappan *(Ezhuvas South)*—May I know what is the method of publishing such prohibitory orders?

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—The order was served on the individual.

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Mr. E. Ikkanda Warriar (*Urakam*).—Here is an order which says that Mr. Kurur Divakaran Nambudiripad is temporarily restrained from entering temples, Brahmin houses, etc. and touching tanks and wells, etc. The order is signed by the Deputy Secretary and dated the 17th of November 1936. By this order his civil rights and privileges and the most elementary right of touching his own tank or well is deprived of. This is a matter which affects the public.

Dr. A. R. Menon (*Pallippuram*).—How can any one prevent A from entering B's house or touching his tank or well? I can't understand the meaning of the order.

Mr. E. Ikkanda Warriar (*Urakam*).—That gentleman cannot touch even the Trichur Municipal Church tank by this order which is open to all classes of His Highness' subjects.

Mr. V. K. Krishnankutty (*Anthikad*).—Is it said in that order that it is an order of His Highness the Maharaja?

Mr. President.—That is why the information is given to you now. There are certain orders issued purely under the prerogative rights of His Highness the Maharaja.

Dr. A. R. Menon (*Pallippuram*).—This Council cannot question any of the orders of His Highness the Maharaja. But the Council can certainly question the orders of Government. If there is any possibility of knowing whether it is an order of His Highness or of Government, that would simplify the matter.

Mr. President.—That is why I said and the Government Secretary has stated that this is an order under the prerogative of His Highness the Maharaja.

Mr. E. Ikkanda Warriar (*Urakam*).—May I know under which section of the Council Regulation?

Mr. President.—Are you asking the legal right of His Highness to issue such an order?

Mr. E. Ikkanda Warriar (*Urakam*).—Some of His Highness' rights have been given to this Council and certain powers have been reserved. I want to know under what particular section His Highness has reserved his right to pass such orders.

Mr. President.—So far as we are concerned, since the Secretary to Government has stated that this is an order under the prerogative rights of His Highness, we are concerned only with Rule 25 which says that a Member while speaking must not reflect upon the conduct of His Highness the Maharaja.

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Dr. A. R. Menon *(Pallippuram).*—Suppose we subject the Government to a virulent and hostile criticism. Does it follow that that criticism reflects on His Highness the Maharaja also?

Mr. President.—No; all our criticisms are supposed to be on his advisers only.

Motion was ruled out of order.

ix. re: the action of a Constable denying the elementary right of public way to certain persons.

Mr. President.—The next motion is also in the name of Mr. Ikkanda Warriar. It reads thus:—"I have the honour to request you to grant me leave to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, to wit, the action of Constable No. 133 in having asked Mr. C. K. Krishnan and others to get out of the public road and an adjacent compound in Kattur in February last constituting the denial of the elementary right of public way."

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—This is not a matter of public importance. Ordinary remedies are provided under the law for that.

Mr. V. K. Krishnankutty *(Anthikad).*—This is only one of the instances where the Press Communique has been violated by the police officers. Behind this is the general principle of the denial of the elementary right of citizen-ship.

Mr. President.—I am sure it is far-fetched. If a constable refuses to pass my car and if the action of the police constable is beyond his powers, I would complain in the proper place. That is the only remedy.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ *(Ezhuvas North).*— പബ്ലിക്ക റോഡിൽ വച്ചല്ല; പബ്ലിക്ക റോഡിൽക്കൂടി പ്രൊസഷൻ പോകുമ്പോൾ അടുത്തുള്ള ഒരു പറമ്പിൽവച്ചാണ്.

Mr. E. Ikkanda Warriar *(Urakam).*—I saw a signed statement in the papers regarding this matter and I asked a question whether the constable has actually done it or not. But the question was disallowed. So I had to bring it in this way. In order that Government servants should not be allowed to do anything they liked, they ought to be reminded of their duties at least.

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